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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/960,523	09/21/2001	Roland M. Hochmuth	10010901 -1	5310

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EXAMINER

NGUYEN, HAU H

ART UNIT

PAPER NUMBER

2676

DATE MAILED: 08/04/2004

7

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/960,523	HOCHMUTH ET AL.	
	Examiner	Art Unit	
	Hau H Nguyen	2676	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 07 May 2004.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-19 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-19 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

1. In view of the Appeal Brief filed on May 7, 2004. PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 9 recites the limitation "the network interface circuit". There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-6, 8-9, 14-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Gosselin et al. (U.S. Patent No. 6,094,453).

Referring to claims 1-3, 5-6, 16-19, as shown in FIG. 1(a), Gosselin et al. teach a block diagram of a communication or transmission system 10, wherein a source image is received or obtained on the encode side 12 of the transmission interface 14. The source image is processed by the system 10 so that it can be transmitted in real-time to the decode side 16 of the interface 14. Once received, the system 10 processes the received image to present full-motion video over a display device 20 (col. 5, lines 3-12). Referring to FIG. 3, Gosselin et al further teach the quad-tree motion analysis compression technique concentrates on differences between successive frames of the source image to further compress the video image. Consecutive frames are compared and analyzed to determine what changes 56 (a comparison logic) (FIG. 3(c)) have occurred in the current image 52 (FIG. 3(b)) with respect to a base image 54 (FIG. 3(a)). The locations of the changes and the corresponding changed information or data is then compressed and transmitted across the interface 14 (a transmission logic) (col. 10, lines 11-22, 61-67, and col. 11, lines 1-5). With reference to Fig. 14(a), Gosselin et al. teaches at step 74, the first base image is stored in a buffer (a frame buffer), and the current image is stored in the capture card buffer (a temporary memory) at step 78 to be compared against the base image. At step 84, the program proceeds to calculate the difference between the 2 X 2 pixel blocks in the base image and the current image. A check to determine if the difference between the pixel blocks is greater than the predetermined threshold (predetermined measure) is performed at step 86. At step 88,

the location of the pixel block and its contents is recorded if the threshold is exceeded. At step 90, the old base image pixel block is replaced with the current image pixel block (overwriting), and the program continues comparing pixel blocks until the entire image has been analyzed. The steps of compression the recorded (changed) pixel blocks are depicted at steps 92-110, and transmitted at step 112 (col. 19, lines 3-48).

In regard to claim 4, Gosselin et al. teach the video signal is analog video signal (col. 6, lines 8-16).

In regard to claim 8, Gosselin et al. teach the invention provides the ability to transmit live, full-motion video over plain old telephone system wiring. Live video images can thus be communicated between two computers over the Internet or World Wide Web (wide area network).

In regard to claim 9, as cited above, Gosselin et al. teach formatting graphics information into packets as shown in Figs. 8a and 8b, wherein the subregions are packed into the header (FIG. 8(a)), the pixel blocks are also packed into the header (FIG. 8(b)) (col. 13, lines 19-34). In order to transmit the changes 56 to the base image 54, a header file is first created. Any change to the base image 54 is communicated via the header file. The header preferably contains the locations for all the changes that occur between consecutive frames of image data (col. 11, lines 56-65). Image transmission is described on columns 15 and 16.

Referring to claims 14 and 15, as shown in Fig. 14(b) at the receiving site, Gosselin et al. teach after establishing a connection with the transmission system at step 120, the process proceeds to receive the header and intensity length at steps 122-128 (receiving packetized graphics information). At step 136, the header is decoded on a level-by-level manner into

standard x,y image locations. Once all four levels of the header have been decoded, the information from these levels is combined to create the x, y image locations (formatting). The image locations from the header are used at step 138 to update the base image with the current acquired intensity color information. Once all the locations decoded from the header have been updated, the base image has been successfully converted to the current image (col. 19, lines 49-67, and col. 20, lines 1-9). As cited above, the receive graphics information is the changed portion of the current frame, not the whole frame, and it is inherent that the header and the intensity length should be stored at least temporarily in order to be processed (input logic).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 7 and 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gosselin et al. (U.S. Patent No. 6,094,453).

Referring to claims 7, as applied to claim 1, Gosselin et al. teach all the limitations of claim 7, except for the network comprising a local area network. However, local area network is well known in the art and it would have been obvious to one skilled in the art to utilize the method of transmitting graphics information across the network as taught by Gosselin et al. for

communicating in a local area network in order to achieve faster communication in a local area, such as home or office.

In regard to claims 10-13, as cited above, Gosselin et al. teach all the limitations of claims 10-13, except for a second input, a second frame buffer, and a second temporary memory. However, it would have been obvious to modify the apparatus as taught by Gosselin et al. and add another video input, another frame buffer, and another temporary memory in the manner described above in order to simultaneously transmit graphics information to more computers.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hau H. Nguyen whose telephone number is: 703-305-4104. The examiner can normally be reached on MON-FRI from 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella can be reached on 703-308-6829.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D. C. 20231

or faxed to:

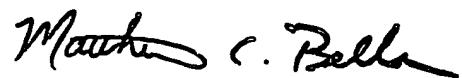
(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered response should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

H. Nguyen

07/22/2004



MATTHEW C. BELLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600